

including the rendition of a judgment, three dollars ; for all services on the trial of a cause without a jury, including receiving and entering verdict and rendering judgment or a cause otherwise disposed of, three dollars and fifty cents for hearing.

SEC. 5. The term of said court shall be the same as now provided law for the present county court of Pierce county ; *Provided, however,* That there shall not be to exceed four terms for jury trials in each year, and they may be held in such months in the year as shall be designated from time to time by the judge thereof ; *Provided, further,* That no jury term of said court shall be held while the circuit court of said county is in session for jury trials.

SEC. 6. The judge of said court shall have the same power to hold special or adjourned terms of his court as is now, or hereafter may be conferred upon the circuit courts of Pierce county, and the said county court shall have the same power to issue special venires and to summon talesman to secure juries therein, as is now or hereafter may be conferred upon the said circuit court of Pierce county.

SEC. 7. So much of any act as contravenes the provisions of this act is hereby repealed.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved May 17th, 1858.

Chapter 124.

Published May 24th, 1858.

AN ACT conferring jurisdiction on the County Court of Columbia County.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows :

SECTION 1. There is hereby conferred upon the county court of Columbia county, jurisdiction in all civil actions, both as to matters of law and equity, equal to and commensurate with the circuit court within the county of Columbia, for all sums not ex-

ceeding five hundred dollars; and said county court shall exercise the same powers and jurisdiction within the county of Columbia as are now exercised by the circuit court in and for said county, in civil actions within the above mentioned limits.

To be a court
of record, &c.

SEC. 2. The said county court shall be a court of record, with a clerk and seal, and shall have full power and authority to issue all legal process proper and necessary to carry into effect the jurisdiction given to it by this act and the laws of this State; and to carry out such jurisdiction, shall have and exercise all the powers usually possessed by courts of record under the common law and in equity, under the regulations imposed by statute.

Clerk of circuit court to be clerk of county court; duty.

SEC. 3. The clerk of the circuit court of said county shall be the clerk of said county court, and shall have the custody and care of all the books and papers belonging to said county court, and shall perform the duties of clerk of said county court, in the same manner as now required of him by law as clerk of said circuit court, so far as it shall be necessary and requisite to discharge the necessary duties as clerk of said county court, and to carry into effect the provisions of this act. And the said clerk of the county court shall keep all necessary records of the proceedings and judgments had in said county court in like manner as is now provided in the circuit court, in all civil proceedings; and his fees and compensation therefor shall be the same as are now or may hereafter be provided by law for the fees and compensation of the clerk of the circuit court.

Writs.

SEC. 4. Said county court shall have like power to issue all necessary and proper writs in all civil actions or proceedings, as is now possessed or hereafter may be possessed by the circuit courts of this State, and the same proceeding shall be had by parties to procure such writs as in the circuit courts of this State. And every writ and process issuing out of said court, shall be titled in the name of the judge thereof, and shall be issued, executed and returned in the same manner and with like effect as in the circuit courts.

To apply to
county court.

SEC. 5. All the general provisions of the statutes of Wisconsin, which now exist or may hereafter exist relating to the proceedings in civil actions in the circuit courts of this State, and to the powers and duties of

courts of record, shall apply in like manner and with like effect to said county court as to said circuit courts; and the judge of said county court shall have power to punish contempts in the same manner that the judges of the circuit courts are or may be authorized by law to punish for contempts. The rules of practice in said county court shall be the same as in the circuit courts of this State as they now exist, or as shall hereafter be provided for said circuit courts in civil actions.

Rules of practice.

SEC. 6. The county court of Columbia county shall continue to use the present seal of said court; *Provided*, That whenever it shall be necessary, the judge of said court may procure at the expense of the county a new seal for said court.

Seal.

SEC. 7. The county of Columbia shall provide all books, blanks and stationery necessary for keeping the records and proceedings of said county court.

Books, blanks, and stationery

SEC. 8. Parties to actions shall have the same rights to writs of error and appeal from said county court to the supreme court of this State, as are now allowed by law from the circuit courts of this State.

Writs of error and appeals.

SEC. 9. From and after the taking effect of this act, all appeals in civil actions from justices of the peace in said county of Columbia, may be taken to said county court, at the election of the appellant, instead of the circuit court of said county, as now provided by law; and the like proceedings therein shall be had in said county court, and such appeals shall be tried and determined therein in the same manner as is by law required in the circuit courts; and all laws providing for taking appeals from justices' courts of said county, to the circuit court thereof, shall from thenceforth be construed to mean and read to the said county court, equally as well as to the said circuit court.

Appeals from justices of the peace taken to county court—proceedings and trials of same.

SEC. 10. A panel of petit jurors for each term of said court, shall be drawn in the same manner as now is or hereafter shall be provided by law for the circuit court of said county; and the persons serving on such panels of petit jurors, shall be paid at the same rate and in the same manner as is now or hereafter shall be provided by law for the payment of jurors in the circuit court of Columbia county; and jurors for the trial of issues, shall be drawn, empannelled and sworn in the same manner as in the circuit courts of this State; and said county court shall have, exercise and use the same pro-

Petit jurors—how drawn and compensation of same.

cess for summoning such petit jurors as is now or may hereafter by law be used by the circuit courts of this State.

Two jury terms annually.

SEC. 11. There shall be two jury terms of said county court in each year, one of which shall be held on the first Tuesday of June, and the other on the first Tuesday of December.

Special terms of court.

SEC. 12. The judge of said county court shall have the same power to hold special terms and adjourned terms of said county court, as is or hereafter may be conferred upon the circuit courts of this State. Two special terms of said county courts shall be held in each year by the judge thereof, for the trial of issues at law, for the hearing and trial of causes without a jury, for the hearing of motions, and for the transacting of any and all business that may be done at a regular term, except the trial of issues of fact by a jury, at such times as the said county judge shall designate; and said judge shall, within thirty days after the taking effect of this act, publish the times and places of holding said terms, and when designated they shall not be changed for one year thereafter. And at such terms the issues of law and motions, trials of issues of fact without a jury, and all other business above specified in this section, may be heard, determined and disposed of with the same force and effect as at a general term of said court.

Tax on civil suits.

SEC. 13. On each civil suit in the county court, there shall be levied a tax of one dollar, which shall be paid to the clerk at the time of the commencement thereof, which tax so levied shall be paid into the county treasury and form a separate fund, to be applied to the payment of the salary of the county judge. Said sum of one dollar shall be taxed in the bill of costs and recovered as other costs of suit.

Costs—how taxed.

SEC. 14. Costs shall be taxed in the county court for Columbia county, in the same manner and to the same extent as in the circuit court.

Compensation of judge.

SEC. 15. The judge of the said county court of Columbia county, shall receive the sum of one thousand dollars per annum, payable quarterly by the county treasurer of said county, which sum shall be in full for all compensation for his services under this act; *Provided*, That this shall not be construed so as to deprive

the said county judge from receiving fees as heretofore for probate business.

SEC. 16. The judge of said county court shall not have power to try and determine any cause in which he shall be interested, or in which he shall have acted as counsel for either party, except by agreement of the parties; and in all cases where said judge shall be a party, or shall have been counsel for either party, he shall transmit the cause to the circuit court of said county, certifying the reasons as aforesaid; and the circuit court shall thereupon proceed to try and determine the same in the same manner and order as if it had originated in the circuit court.

Judge has no power to try causes where he is interested or acted as counsel.

SEC. 17. All acts and parts of acts contravening the provisions of this act are hereby repealed.

Repealed.

SEC. 18. This act shall take effect and be in force from and after its publication.

Approved May 17th, 1858.

Chapter 125.

Published May 28th, 1858.

AN ACT to provide for paying the Architect employed upon the Capitol extension.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Governor of this State is hereby authorized and empowered to contract with the architect appointed under the provisions of section four, chapter twenty-six, general laws of 1857, whose compensation shall be as follows: Two and a half per cent. on the amount of the contract for plans, elevation and specifications; one per cent. for details to larger scale, and one and a half per cent. for superintendance; which said per centage shall be in full payment for all services heretofore performed or to be performed, and of all claims of every name or nature until the completion of said extension; *And, provided, further,* That should the work on the present plan be abandoned by the Legislature, then in that case, the Gov-

Governor to contract with architect at the following compensation.

Proviso.